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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Neil H. Bander                          Art Unit : 1642  
 Serial No. : 09/357,704                          Examiner : Gary B. Nickol  
 Filed : July 20, 1999  
 Title : TREATMENT AND DIAGNOSIS OF PROSTATE CANCER

**Mail Stop Amendment**  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

SUMMARY OF MAY 19, 2004 INTERVIEW

The statements provided in the interview summary dated May 26, 2004 regarding the above-identified application are correct. In addition to the summary provided by the Examiner regarding the written description rejection, Applicants note that Applicants' attorneys offered to submit a Declaration Under 37 CFR 1.132 by a person of ordinary skill in antibody technology in 1996 that indicates that a skilled artisan reading the application would recognize that Applicants were in possession of antibodies that compete for binding with the four recited antibodies. The Examiner and his supervisor indicated that they would not consider such a Declaration and instead would use their own judgment of whether a skilled artisan would have recognized possession of the claimed antibodies by the Applicants.

## CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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6/23/04  
Alissa Passacantilli  
Alissa Passacantilli

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Page : 2 of 2

Attorney's Docket No.: 10448-184002 / MPI1996-  
037P2RDV1A(RCE); CRF D-1912I

Respectfully submitted,

Date: 6/23/04

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